

**IN THE UNITED STATES DISTRICT COURT  
OF THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**KENNETH CARPENTER**  
**Plaintiff**

**V.**

**RICK SMITH, RED RIVER COUNTY**  
**DEPUTY SHERIFF**  
**Defendant**

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**No. 5:09CV68**

**MEMORANDUM ORDER**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections were filed to the Report and Recommendation. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

**ORDERED** that Rick Smith's Motion and Brief in Support for Summary Judgment (Dkt. No. 13) is **DENIED**.

**SIGNED this 2nd day of June, 2010.**



DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE